

CONFERENCE OF THE EIGHTEEN-NATION COMMITTEE
ON DISARMAMENT

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FINAL VERBATIM RECORD OF THE THREE HUNDRED AND SEVENTY-FIRST MEETING

held at the Palais des Nations, Geneva,
on Wednesday, 28 February 1968, at 10.30 a.m.

Chairman:

Mr. A.A. ROSHCIN

(Union of Soviet
Socialist Republics)

GE.68-3488

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Brazil:

Mr. J.A. de ARAUJO CASTRO
Mr. C.A. de SOUZA e SILVA
Mr. E. MOREIRA HOSANNAH
Mr. A. da COSTA GUIMARAES

Bulgaria:

Mr. K. CHRISTOV
Mr. B. KONSTANTINOV

Burma:

U KYAW MIN

Canada:

Mr. E.L.M. BURNS
Mr. J.R. MORDEN
Mr. A. BERNIER

Czechoslovakia:

Mr. T. LAHODA
Mr. V. VAJNAR

Ethiopia:

Mr. A. ZELLEKE
Mr. B. ASSFAW

India:

Mr. M.A. HUSAIN
Mr. N. KRISHNAN
Mr. K.P. JAIN

Italy:

Mr. R. CARACCIOLO
Mr. G.P. TOZZOLI
Mr. E. FRANCO
Mr. F. SORO

Mexico:

Mr. A. GOMEZ ROBLEDO
Mr. A. CARRANCO AVILA

Nigeria:

Alhaji SULE KOLO
Mr. B.O. TONWE

Poland:

Mr. M. BLUSZTAJN
Mr. E. STANIEWSKI

Romania:

Mr. N. ECOBESCO

Mr. A. COROIANU

Mrs. F. DINU

Sweden:

Mr. L. ECKERBERG

Mr. R. BOMAN

Union of Soviet
Socialist Republics:

Mr. A.A. ROSHCHIN

Mr. V.V. SHUSTOV

Mr. V.B. TOULINOV

United Arab Republic:

Mr. H. KHALILAF

Mr. O. SIRRY

Mr. M. SHAKER

United Kingdom:

Mr. I.F. PORTER

Mr. R.A. RIDDELL

United States of America:

Mr. W.C. FOSTER

Mr. S. DePALMA

Mr. L.D. WEILER

Mr. C.G. BREAM

Special Representative of the
Secretary-General:

Mr. D. PROTITCH

1. The CHAIRMAN (Union of Soviet Socialist Republics) (translation from Russian):
I declare open the 371st plenary meeting of the Conference of the Eighteen-Nation Committee on Disarmament.
2. Alhaji SULE KOLO (Nigeria): Permit me to take the opportunity of my first intervention at this session to welcome to our midst Mr. de Araujo Castro of Brazil, Mr. Husain of India, and Mr. Gomez Robledo of Mexico. I am sure that their experience and talents will be of immense value to the Eighteen-Nation Committee on Disarmament, particularly at this crucial stage in our negotiations. I should also like to welcome back our distinguished colleague and co-Chairman, Mr. Foster. We are happy to see that he is in excellent health and that we are going to have the benefit of his wealth of experience at this time.
3. The Nigerian delegation would like to congratulate the delegations of the Soviet Union and the United States on the presentation of their revised drafts of a treaty on the non-proliferation of nuclear weapons (ENDC/192/Rev.1, 193/Rev.1). We think it is self-evident that some important improvements have been made in the new documents to meet some of the anxieties of the non-nuclear-weapon States. At the same time, it is indisputable that some critical problems remain unresolved. Indeed, as the representative of the United States himself said at our meeting of 18 January, the revised drafts do not deal with the important question of security assurances (ENDC/PV.357, para. 46). Although Mr. Fisher assured us that he and his Soviet counterpart were mindful of their pledge to provide this Committee with a recommendation to deal with that problem, it would be correct to say that the absence of such a recommendation, formula or provision, within or without the treaty, to take care of such a vital question at this stage, constitutes a serious gap in the revised drafts.
4. None the less, we would agree with the view that the present drafts provide a satisfactory basis for our negotiations. The Nigerian delegation believes that every effort should now be made to expedite the conclusion of the treaty. Accordingly, and as we are anxious to conserve the gains that have so far been made, the Nigerian delegation will do its best to work within the present drafts and present only those amendments which are considered indispensable and which should not pose serious basic or practical problems of acceptance. We should like to say at this juncture that the guiding principle for us is, as always, that the treaty should provide, as far as is possible, the answers to the problems raised by its principal aim: that is, non-proliferation.

(Alhaji Sule Kolo, Nigeria)

5. The principal aims of the treaty we are negotiating can be found in articles I and II of the revised drafts submitted by the United States and the Soviet Union. Those articles seek to prevent certain States from acquiring nuclear weapons or nuclear explosive devices -- two things which have certain advantages, real or potential, considerable or minimal. The problem, then, is how to guarantee to those who will be prevented from having direct control over these weapons or devices all the benefits, military or peaceful, marginal or considerable, which would normally accrue to their possessors.

6. We are happy to note that the United States and the Soviet Union have made a commendable attempt in article V of their respective drafts to provide the necessary guarantees in respect of nuclear explosive devices. On the other hand, no such assurances have yet been given in respect of nuclear weapons, although, as the representative of the United Kingdom, the Right Honourable Fred Mulley, justly said at our meeting on 23 January:

"It seems reasonable for non-nuclear -- particularly non-aligned -- countries which forgo their option to acquire nuclear weapons to be given some kinds of guarantee against nuclear attack or nuclear threat ..." (ENDC/PV.358, para.32).

It was to that end that the Nigerian delegation proposed article IIA in its working paper (ENDC/202) submitted on 2 November 1967. We do not intend today to reintroduce that amendment in its original or modified form, as we should like to give the co-Chairmen a free hand to produce a formula that will be acceptable to all.

7. With regard to the peaceful uses of nuclear energy, including nuclear explosive devices, it will be recalled that Nigeria presented a set of amendments the purpose of which was to obtain clear-cut obligations upon all parties, especially upon those who would under the treaty retain the privilege to develop nuclear explosive devices, to ensure that the prohibitions in the non-proliferation treaty would not serve to perpetuate, even widen, the technological, scientific and material disparities which already exist between the powerful and the weak. In order to translate those obligations into reality, it seemed to us indispensable to envisage in the treaty a highly-developed, centralized and open -- I should emphasize "open" -- system of international co-operation in the peaceful nuclear field.

(Alhaji Sule Kolo, Nigeria)

8. Hence we welcome the promise contained in the statement made by the representative of the Soviet Union, Mr. Roshchin, at our meeting on 16 February, when he said:

"... renunciation by the non-nuclear countries of military forms of the use of atomic energy will stimulate the development of extensive international co-operation in the field of scientific research and the peaceful use of nuclear energy." (ENDC/PV.366, para.18)

We believe that that sentiment has been expressed by practically every delegation in this Committee. It is therefore surprising that the co-Chairmen did not find it possible to introduce in their article IV, paragraph 2, the notion of "undertaking" which is found in all the preceding articles. The Nigerian delegation does not quite understand the significance of the first sentence of that paragraph, which says: "All the Parties to the Treaty have the right to participate in the fullest possible exchange of scientific and technological information ..." We should have thought that States already have the right to participate in any such peaceful activities if they can find interlocutors. Participation here postulates a dialogue, not a monologue.

9. Hence we fail to see how the right accorded in that clause to the parties who may want to ask questions can be exercised if the participation of those parties who will make the right meaningful is not guaranteed. It seems to us indisputable that what is needed in a non-proliferation treaty is not a restatement of every sovereign right of States but a specific assurance that those who will be prohibited by the treaty from certain activities have the means of knowing at any given moment the full sacrifice they are making in the interest of the non-proliferation of nuclear weapons. If we fail to secure that means in the treaty, we shall be committing a serious mistake which is almost certain to make it unstable. As Mr. Roshchin rightly said at our meeting on 16 February:

"It cannot be overlooked that confidence is an important factor in respect of international co-operation in the exchange of scientific information in the nuclear field and in regard to the peaceful use of nuclear energy as a whole." (ibid., para. 22).

10. By signing a non-proliferation treaty, non-nuclear-weapon Powers would in a way be manifesting their confidence in the good faith of the nuclear-weapon Powers. The nuclear-weapon Powers, in their turn, have a responsibility to be less secretive about their peaceful nuclear activities. The Nigerian delegation notes in this

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connexion that no mention has been made in article IV about passing on information obtained during research on nuclear explosive devices. While a special reference to this matter in the operative part of the treaty would have been desirable, we believe that the first sentence of paragraph 2 of article IV of the revised drafts of the United States and the Soviet Union can be said to cover the exchange of such information. We hope that the delegations of the United States and the Soviet Union share this view.

11. We shall therefore limit our suggestions for amendment of that article to the barest minimum. In consonance with the views we have already advanced, we suggest that the first sentence of paragraph 2 of article IV of the United States and Soviet Union drafts should be amended to contain a clear undertaking by all members. Thus the words "undertake to facilitate" should be substituted for the words "have the right to participate in". Further on in the sentence, the word "on" should replace the word "for" between "technological information" and "peaceful uses", to give the clause adequate scope.

12. With the amendments just suggested and our interpretation of article IV, paragraph 2, regarding information derived from research on nuclear explosions, article V of the United States and USSR drafts should be more meaningful. However, we share the anxiety of the Swedish delegation (ENDC/PV.364, para. 17; ENDC/216) that the last sentence of that article could give rise to apprehensions about the true intentions of States entering into bilateral agreements to use nuclear explosive devices for peaceful purposes, particularly as the same agreements could be arrived at openly through appropriate international procedures.

13. Indeed, it was to minimize the grounds for suspicion by parties to the treaty in respect of inter-State nuclear activities that the Nigerian delegation presented article IVB of its working paper of 2 November 1967 (ENDC/202). That amendment would seem to us to remain essential to cover the provisions of both articles IV and V of the revised USSR and United States drafts. As we said in our statement in this Committee on 28 November 1967, the International Atomic Energy Agency (IAEA) itself has stated that the Agency "forms a channel for scientific co-operation, for exchange of knowledge and for co-ordination of research" in the nuclear field (ENDC/PV.351, para.10).

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14. Article IVB of the Nigerian working paper is therefore nothing more than a reaffirmation of an obligation which all members of this Committee and the overwhelming majority of States have already accepted vis-à-vis IAEA, to enable that organization to carry out its functions satisfactorily; and consequently all States should see their way clear to supporting the inclusion of that article in a treaty on the non-proliferation of nuclear weapons, as it would provide an additional safeguard against suspicion and minimize the causes of instability.

15. In reference to article VI of the USSR and United States drafts, the attention of the Nigerian delegation is drawn to the statement of the representative of the Soviet Union, Mr. Roshchin, in which he made an eloquent case for nuclear disarmament. Mr. Roshchin said that the utilization of nuclear weapons would constitute "a threat to all countries, large and small, nuclear and non-nuclear". (ENDC/PV.366, para.2). That view was firmly supported by the report of the Secretary-General on the effects of the possible use of nuclear weapons (A/6858, paragraph 40). As we have every reason to believe the views to which we have just referred, we would agree entirely with what the representative of the Soviet Union said, very logically, in the statement I have just quoted:

"... the most important task in regard to ensuring the security of the peoples is to eliminate the threat of nuclear war through the cessation of the nuclear arms race and the complete prohibition and abolition of such weapons."

(ENDC/PV.366, para.2)

16. In accordance with that view, a non-proliferation treaty can in fact be regarded as the contribution which non-nuclear-weapon States are called upon to make to nuclear disarmament. To reciprocate that gesture, it is only reasonable to ask that nuclear-weapon States in their turn accept a clear-cut undertaking to start the process of real nuclear disarmament at an early date. If experience is any guide, negotiations towards that end are bound to be seriously compromised if they are too closely tied to general and complete disarmament. It is for that reason that we wholeheartedly support the amendments to article VI of the USSR and United States drafts proposed by the Swedish delegation on 8 February (ENDC/215).

17. I have just tried to show that the purpose of the treaty we are negotiating is to facilitate other agreements on nuclear disarmament. Article VI of the United States and USSR drafts which I have just been discussing prescribes that parties to the treaty should take active steps to ensure that that aim is realized. In our view that is the import of the United Kingdom amendment to article VIII (ENDC/203/Rev.1).

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Needless to say, we support that amendment wholeheartedly, especially as there will be certain desirable clauses in the preamble which it may not be possible to translate into concrete terms in the operative part of the treaty.

18. On the other hand, neither the United Kingdom amendment nor any provision of the revised treaty texts says anything about how the review conference shall decide whether or not it believe the purposes of the preamble and the provisions of the treaty are being realized. Yet, for the review conferences to serve any purpose, they must have the facility to express the collective view of the majority of the signatories on the application of the treaty. The evidence that a provision is necessary for that is the fact that it exists in the revised drafts with regard to a review conference after twenty-five years, in the last sentence of article X.

19. Therefore the Nigerian delegation proposes that the following sentence be inserted after the United Kingdom and Swedish amendments to article VIII: "The findings of the review conferences shall be adopted by a majority of signatory States present." My delegation makes that proposal because it believes that the views of the majority of signatory States should be available to those Powers which alone can make the principal aim of the treaty -- nuclear disarmament -- realizable.

20. It is the opinion of the Nigerian delegation that the existence of article X in the USSR and United States drafts is to some extent proof that the problems of security, development and disarmament raised by a non-proliferation treaty will not disappear completely with the signature of the treaty. To that extent we consider that article to be essential. But we are not entirely clear about the meaning of the first sentence of that article. First of all, what exactly is meant by "extraordinary events"? Secondly, what is meant by "supreme interests"? Thirdly, should the whole sentence be construed as conferring the right to withdraw only when the extraordinary events have actually jeopardized the supreme interests of States? If so, what would be the purpose of withdrawal?

21. If, as we believe, it is not the intention that States should practice what would amount to medicine after death, some redrafting of that sentence would seem necessary. Are we to equate supreme interests to national interests, or is the article intended to limit the sovereign right of States to take the crucial step of withdrawal to defend national interests other than that of national survival? The Nigerian delegation believes that it would be unfortunate to give the impression

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that the sovereign right of States to decide their interest would be fettered by this treaty. It is our belief that a treaty freely contracted and voluntarily maintained is likely to be more dependable than one which is sustained through pressure.

22. On the other hand, we note with satisfaction that the revised drafts now contain an article on safeguards. We are particularly happy that the safeguards agreements provided for under the article are to be concluded in accordance with the Statute of IAEA. This condition presupposes that all such agreements shall be subject to approval by the Board of Governors of that Agency and that all members of the Agency will have access to the texts of the individual or collective agreements. Under such conditions, and given good will on all sides, the present article III should meet the needs of non-proliferation.

23. Finally, we should like to refer to article IX, paragraph 3, of the revised drafts, which provides that the treaty should enter into force after the nuclear-weapon States and forty others have ratified it and deposited their instruments of ratification. I listened with great interest to the explanation of this clause given by the representative of the United States at our meeting of 22 February (ENDC/PV.269, paras. 62, 63). The reasons he gave for fixing the number at forty were, in our view, quite pertinent.

24. Nevertheless, it seems to us more important that the treaty should enter into force with a more substantial support than has been proposed. Such substantial support would give the treaty greater moral power. Furthermore, we believe it would be undemocratic and rather discourteous for this Committee to recommend to the United Nations General Assembly, from which it derives its mandate, a treaty which would not even require the support of at least a simple majority of its Members. For those reasons, I would propose that the number of signatories required under article IX, paragraph 3, of the revised drafts should be equivalent to a majority of the membership of the United Nations.

25. All we have said today is aimed at facilitating the conclusion of a non-proliferation treaty, a treaty which will undeniably place extraordinary responsibilities on non-nuclear-weapon Powers. We agree entirely with the following statement by the representative of the United States, Mr. DePalma, at our meeting of 6 February:

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" ... the vast majority of such States have no intention, desire or indeed any early prospect of producing or acquiring nuclear weapons or other nuclear explosive devices". (ENDC/PV.362, para.25)

However, it should also be realized that a treaty on the non-proliferation of nuclear weapons is certainly not directed principally at the vast majority of States which have no early prospects of producing or acquiring nuclear weapons or nuclear explosive devices; it is directed principally at those which are already, or will soon be, in a position to do so.

26. Furthermore, we should like to warn that the economic sacrifices of which the Secretary-General's report speaks (A/6858, paras. 43 et seq.) could never constitute the principal disincentive for those who, because of what this Committee fails to do, decide that they would need nuclear weapons or nuclear explosive devices to defend their political or economic interests respectively. In fact, many of the so-called less-developed countries today are already spending much more on their national defence than the \$170 million which the Secretary-General's report says (ibid., para.71) would be needed annually to build up a modest nuclear armoury over ten years. We must realize that it is not sufficient to point to the advantages of comparative cost which may be derived from using explosive devices to be provided cheaply by the nuclear-weapon States. Students of the theories of economic development know that Ricardo's law has never solved all the problems of a balanced national development. Indeed, even the earlier physiocrats recognized that for certain reasons -- for example, national security -- the State should ignore the superficial advantages of comparative costs.

27. The Nigerian delegation is fully convinced that the decision not to produce nuclear explosive devices for peaceful purposes by signatories to the treaty can be maintained only if the treaty ushers in an era of open and intensive international co-operation, based on confidence, in the use of the atom for the economic and technological development of all countries. That era cannot be sustained by unilateral declarations of intention; it will need firm obligations, some of which have been given in the revised United States and USSR drafts, so that the co-operation of which we speak will be removed from the realm of charity to that of mutual assistance to save man from himself.

28. I should be grateful if the working paper containing the amendments proposed today by the Nigerian delegation could be circulated as an official document of the Eighteen-Nation Committee on Disarmament.^{1/}

^{1/} Circulated as document ENDC/220.

29. Mr. CHRISTOV (Bulgaria) (translation from French) The discussion of the problem of the non-proliferation of nuclear weapons is drawing to a close. The day is near when our co-Chairmen will set about drafting the report which the Committee has to submit to the United Nations General Assembly by 15 March at the latest.

30. During the discussions that have taken place here since 18 January, almost all delegations have stated their attitude towards the revised draft treaties submitted to the Committee on that day by the representatives of the Soviet Union and the United States (ENDC/192/Rev.1, 193/Rev.1). Likewise, while the texts were being analysed in detail, various delegations, and in particular those of Sweden, Brazil, Italy and the United Kingdom, submitted amendments.

31. The revised draft treaties which have been submitted to us are the outcome of extremely difficult negotiations both within the Committee and outside it. The various obstacles and difficulties that had to be overcome in order to arrive at a synthesis in the form of a draft treaty have been mentioned by several members of the Committee, and particularly by the representative of Mexico, Mr. Gomez Robledo, who in his statement of 15 February spoke to us about the "dramatic years when the problem of the spread of nuclear weapons was debated constantly, and without any apparent hope of solution..." (ENDC/PV.365, para.2). We are thus bound to be all the more gratified at the progress achieved, and we are encouraged to note that most members of the Committee have expressed satisfaction with it.

32. We should like to emphasize more particularly that agreement has been achieved in the Committee on a cardinal point: namely, that the draft unquestionably meets the basic requirement of United Nations General Assembly resolution 2028 (XX), (ENDC/161) which stipulates that the future treaty should be void of any loop-holes which might permit the proliferation, directly or indirectly, of nuclear weapons in any form.

33. Indeed, it may be said that on that score there are no doubts in the Committee. Certain comments made in that regard by the representative of the United Arab Republic at our 367th meeting were given exhaustive answers yesterday. The detailed analyses made by our co-Chairmen of the spirit and letter of articles I, II and III of the draft show that the treaty will constitute a truly reliable obstacle, to use Mr. Roshchin's expression, to any proliferation of nuclear weapons. Let me add to what has been said that, in the opinion of my delegation, the entry into force of the treaty is bound by the force of events to bring about a type of control other than that provided for in article III, which I shall call international political and moral control and which will likewise have a positive effect of considerable significance.

34. The Bulgarian delegation, having been one of the first to give its full support to the draft treaty submitted on 18 January, has examined with the attention that such an attitude demands the suggestions made for certain changes in the draft. We have studied with the greatest care the criticisms levelled at the draft by certain delegations. We have above all endeavoured to place the proposed amendments within the context of the actual possibilities and with a view to concluding this task which, we believe, has now assumed the magnitude of a duty for our Committee: namely, the drafting of a full report and the submission to the United Nations General Assembly of the text of a draft treaty on non-proliferation likely to receive the assent of as large a number of countries as possible.

35. I do not intend to undertake a complete examination of all the amendments and suggestions presented during the discussion. Most of the problems they raise are addressed to the two co-Chairmen, who have already reviewed most of them and provided detailed clarifications. Other members of the Committee have likewise made sensible comments on the various amendments.

36. I should now like to put forward a few comments concerning the suggestions made by the delegation of Brazil (ENDC/201/Rev.2), and to dwell more particularly on the proposals for the amendment of articles I, II and IV of the draft. As is evident from the spirit and the letter in which these amendments have been conceived, and from the statements made by the representative of Brazil at the 363rd, 364th and 367th meetings of the Committee, these proposals reflect the Brazilian concept of the non-proliferation problem and of the character which the non-proliferation treaty must have.

37. The delegation of Brazil proposes that the scope of articles I and II should be reduced and article IV amended accordingly; that is to say, in fact, that the treaty should cover only nuclear weapons and that the production and use of nuclear explosives for peaceful purposes should be left free. This latter activity includes, as has been explained, freedom for all States to organize, by their own means or in association with other parties, nuclear explosions for peaceful purposes, including explosions that might require devices similar to those used in nuclear weapons.

38. Everyone understands the importance which the non-nuclear countries attach to all forms of the peaceful use of nuclear energy and the particular interest that certain aspects of the problem present for a large country like Brazil. We consider

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that in this regard article V of the draft provides opportunities that would satisfy all interests and provides guarantees adequate to ensure that the benefits that may be derived from any peaceful applications of nuclear explosions would be obtained on the most favourable terms and under appropriate international procedures.

39. However, notwithstanding the great respect we have for the opinions of others, and without any intention of being controversial, we must say that in our opinion the position of Brazil in this case goes well beyond the use of so-called peaceful nuclear explosions and affects the very foundations of what a non-proliferation treaty should be. It is obvious, for reasons that have been explained on many occasions, that a treaty on non-proliferation will not be one and will soon cease to exist if it does not close in the most reliable manner all loop-holes for the proliferation of nuclear weapons in any form. It is no less obvious that these loop-holes would be left wide open if we were to adopt amendments which would in practice permit the dissemination of nuclear weapons indirectly through peaceful explosions.

40. It is easy to understand that the issue here is not merely a difference of views on the single point --basically rather limited -- of the use of nuclear explosions for peaceful purposes. I cannot explain it better than the representative of India did at yesterday's meeting. In his brilliant statement, to which we listened with the greatest interest, Mr. Husain said:

"Since nuclear technology is the technology of the future and is likely to become the most crucial and potent instrument of economic development and social progress, it would obviously be invidious for a greater part of the world to become wholly dependent on a few nuclear-weapon States for the knowledge and application of the technology." (ENDC/PV.370, para. 19).

That is undoubtedly the crux of the matter.

41. Indeed, throughout our discussion concern the misgivings have been expressed with regard to the situation which will arise after the conclusion of a treaty on non-proliferation. To try to see clearly into the future is a perfectly legitimate desire. However, some delegations think that a non-proliferation treaty resulting from the draft before us would have harmful effects on international relations and on the economic and industrial development of a large number of countries. Some delegations think that the non-proliferation treaty will further accentuate the division of the world solely to the advantage of the nuclear countries and to the detriment of the non-nuclear countries. This subject of the advantages and disadvantages that would result from the non-proliferation treaty has been discussed at length in this Committee, and I do not think this is the right time to revert to it. However,

since reference is made to what is called the division of countries into nuclear States and non-nuclear States, I think it is permissible to say a few words on the subject.

42. That in these days the world is torn by divisions of all kinds is an incontestable fact. That the advent of atomic energy, for good or evil, has helped to aggravate matters is also undeniable. A rapid glance at the present international situation continually confirms this. No doubt each of us has his own ideas of the causes underlying the evil, and of the factors and the forces which are stubbornly striving to prevent the requisite radical changes. This is a vast and inexhaustible subject which raises innumerable problems as soon as it is touched. Some of these problems recur continually on the agenda and are at present the subject of heated discussions in important international bodies; others give rise to bloody conflicts. I have ventured to refer to these problems because we felt that it would help us better to understand the meaning of the suggestions made by the delegation of Brazil. I do not think that I am mistaken in placing them in the current of ideas which aim at stopping and, if possible, reversing the process of international divisions.

43. But however praiseworthy such an endeavour may be -- and no one doubts that it is made in all good faith -- it must be examined in the context of reality, nuclear and other. In this case one soon recognizes that the adoption of the Brazilian amendments is bound to lead to the opposite results. We have said that these amendments permit loop-holes which the non-proliferation treaty seeks to close and must close. One does not need to be a prophet to say that the first countries to take advantage of them would not be those which would like to possess nuclear devices for use in civil engineering works. The first to get through the loop-holes, one can be sure, will be those who do not conceal their desire, their intention and their impatience to acquire nuclear weapons. And they will act quickly, so that within a few years the number of Powers possessing nuclear weapons could double.

44. Nevertheless, it is well known that -- for reasons to which there is no need to revert -- many, in fact most the nations of the world will not be in a position for a long time to become nuclear Powers in what we may call an independent sense; this will ultimately not abolish but on the contrary will increase and deepen the division of the world, with all the consequences which will accompany that process, such as the nuclear arms race, increase in the danger of atomic war, and so on.

45. For these reasons we consider that the amendments to articles I, II and IV of the draft treaty submitted by the delegation of Brazil run counter to the position of the Bulgarian delegation, which is in conformity with United Nations resolution 2028 (XX),

according to which the world needs a non-proliferation treaty void of any loop-holes which might permit the proliferation of nuclear weapons in any form.

46. We are more than ever convinced that nuclear problems can and must be solved by the efforts of the entire international community through action designed to do away with the atomic threat by eliminating nuclear weapons within the framework of an agreement on general and complete disarmament, and to establish wide international collaboration for the use of nuclear energy for peaceful purposes for the benefit of all countries; and we firmly believe that the conclusion of the non-proliferation treaty will be the first major step in that direction.

47. I should now like to express my delegation's views on certain amendments submitted by the Swedish delegation on 8 February (ENDC/215). We have always followed with great admiration the perseverance with which Sweden carries on efforts in favour of a total cessation of all test explosions of nuclear weapons. The Bulgarian delegation has had the opportunity of stating its position on this problem, and we shall continue to support any movement aimed at accelerating its solution. Thus my delegation approves the insertion in the preamble of a new paragraph, as suggested by the Swedish delegation, and the suggestion to accelerate the adoption of effective measures of nuclear disarmament.

48. I also believe that in this case the Swedish proposal would gain by being made more precise in the sense advocated by the representative of the United Kingdom during the meeting of 22 February (ENDC/PV.369, para.27). Certain passages of the statement made by Mrs. Myrdal at our 364 meeting, and the explanations provided by Mr. DePalma in this regard at our 369th meeting, remind us of all the difficulties which still have to be overcome in order to arrive at the prohibition of underground nuclear tests. But is it unthinkable that the slowness of the negotiations on non-proliferation may be to some extent their cause? In any case we are convinced that there will be more hope of achieving success in the discussion on the prohibition of underground tests when the non-proliferation treaty has been concluded.

49. It is in the highest degree comforting to note that the great majority of the delegations meeting here have again reaffirmed their faith in the beneficial international effect which the conclusion of the treaty will have. For, as has been said, the treaty which is before us is indeed a highly political treaty, the spirit of which goes beyond the letter itself. The Bulgarian delegation has every confidence that the co-Chairmen of our Committee will embody that spirit in the report which they are going to draft. That is one of the reasons why, in concluding, I wish to associate myself with those who have welcomed the presence among us again at this time of the representative of the United States, Mr. Foster.

50. Mr. BURNS (Canada): At the beginning of my statement, I should like to join the speakers who have preceded me in welcoming back Mr. Foster, one of our co-Chairmen. I feel that his presence will give us more confidence for the final steps we have to take to produce the report by 15 March.

51. The Canadian delegation has listened with great interest to the statements made this morning by the representatives of Nigeria and Bulgaria, and we shall study them attentively in the verbatim record.

52. Following the submission of the revised draft treaty on 18 January (ENDC/192/Rev.1; 193/Rev.1) the Canadian delegation has listened attentively to and studied carefully the statements in which the other members of the Committee have presented the views of their Governments. In particular the Canadian authorities have studied the specific amendments which have been circulated. As we were reminded by the representative of Ethiopia at our meeting on 13 February (ENDC/PV.364, para.37), it seems that there are as many ways of looking at this treaty as there are member nations in this Committee. Nevertheless, there have been certain concurrent themes which can be identified quite easily.

53. Members of the Committee may recall that in my intervention at the meeting on 23 January I said:

"In discussing this text, the Canadian delegation will be guided by the principle that any position which is known to be held extensively within the Committee and by States not represented here should be regarded by all members, including especially the co-Chairmen, as carrying very substantial weight." (ENDC/PV.358, para.57).

It is in that spirit that we have studied the amendments and suggestions which have been put forward by members of the Committee in the latest round of our discussions.

54. In his statement at the meeting on 23 January (ibid.) the representative of the United Kingdom indicated that acceptance of the amendment be submitted on 22 November 1967 (ENDC/203), was still being urged by his delegation. At the meeting on 22 February a revised amendment (ENDC/203/Rev.1) referring to the latest draft of the treaty was formally submitted. This amendment provides that the conference provided for in article VIII would review how far the purposes of the preamble as well as the provisions of the operative articles were being realized. The effects

(Mr. Burns, Canada)

of that amendment at the stage we have now reached would be different from those it would have had originally, because of a number of changes which have been made in the revised draft treaty. I have in mind, first, the terms in which article IV has now been drawn; second, the transfer of the question of peaceful nuclear explosions from the preamble to the operative part as article V; and, third, the addition of article VI, concerning undertakings to pursue disarmament negotiations in language considerably stronger than the corresponding passage in the preamble.

55. It is perhaps true that those transfers from the preamble to the operative articles of the treaty, and especially article VI, have to some extent made it less pressing to have the United Kingdom amendment adopted. On the other hand, the fact that those changes have been made should diminish any difficulty which may have existed about accepting that amendment. Again, our criterion in looking at this point and others is whether they will add to the acceptability of the treaty without detracting from its fundamental purpose. We have observed considerable support in the Committee for the concept in the United Kingdom amendment. We look on that amendment as a reasonable one which would emphasize the necessity for action on disarmament measures by the nuclear Powers, following the acceptance of non-proliferation by the non-nuclear-weapon nations.

56. We have noted that there is support by many delegations for the idea that there should be a stronger commitment by the nuclear Powers to pursue actively further disarmament negotiations. In particular there seems to be a general desire to include in the treaty specific reference to the need to achieve a comprehensive test ban. Two of the amendments proposed by the representative of Sweden on 8 February (ENDC/215) are directed to those purposes. We have just heard the comments of the representative of Bulgaria on those proposed amendments; and, as I understand them, they seem to indicate the same views as those held by the Canadian delegation.

57. One of the Swedish amendments proposes an additional paragraph for inclusion in the preamble, quoting from the preamble to the 1963 partial test-ban Treaty (ENDC/100/Rev.1). As Canada is a signatory of that Treaty, we can naturally support that proposed amendment. Indeed, we consider it useful to recall the undertaking concerning the comprehensive test ban, since negotiations in this Committee on the non-proliferation treaty have, we hope, reached the final stage. We hope also that the co-Chairmen will be able to agree to accept that Swedish amendment. The related changes proposed by

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the representative of Sweden to article VI would not materially alter the substance of that article. However, they would make it somewhat more emphatic and convincing. We hope, therefore, that the Co-Chairmen will find those additions acceptable.

58. A number of delegations have argued for the desirability of providing for periodic review conferences. In our view, such a provision would increase the acceptability of the treaty, make it more stable, and point the way to further disarmament measures. The amendment proposed to paragraph 3 of article VIII by the representative of Italy (ENDC/218), would be quite acceptable to Canada. We recognize, however, that there are differing views on this matter and that the more flexible formula proposed by the representative of Sweden (ENDC/215) which would provide for having review conferences at intervals of five years if desired by a majority of signatories, might be more widely acceptable than the fixed programme proposed by Italy. If that should be the consensus, it would in our view be desirable to take into account the suggestions for redrafting the Swedish amendment made by the representative of the United Kingdom on 22 February (ENDC/PV.369, para. 28).

59. Turning now to the Swedish amendments in document ENDC/216, we recognize the validity of the arguments put forward by the representative of Sweden about the need for compatibility of the non-proliferation treaty and subsequent arms control and disarmament measures, and about standardization of controls. We have, however, considered the proposal affecting the seventh paragraph of the preamble: that is, the proposed deletion of the reference to nuclear-weapon States as the dispensers of "spin-off" -- that is, technological by-products from the development of nuclear explosive devices -- in the light of our criterion of making the text as widely acceptable as possible.

60. We who have been discussing the details of this draft for many months in the Eighteen-Nation Committee are well aware that that clause recognizes the principle of balance of obligations between States possessing nuclear weapons and those which do not. Therefore we should expect that the omission of those words would not affect the attitude of any of our Governments towards the treaty. However, it appears to us that, if those words are deleted, it may not be clear to countries not members of the Eighteen-Nation Committee when they come to study the text, that the principle being affirmed places an obligation on the nuclear Powers.

61. As for the proposed Swedish amendment to article V, at present I do not have anything to add to the remarks concerning the international observation of all nuclear explosions for peaceful purposes with which I closed my statement at our 368th meeting. However, I should like to express to the representative of the United States my delegation's appreciation for the extensive clarification and assurances in that regard which he gave to us in his discussion of article V at our 369th meeting. We also took note of the clarifications and assurances on the same subject given by yourself, Mr. Chairman, at our 370th meeting. We shall be studying the comments of both co-Chairmen to see whether they substantially answer the question we raised.

62. The representative of Brazil explained (ENDC/PV.364, para.28) that the amendments contained in document ENDC/201/Rev.2 of 13 February were adaptations to the revised draft treaty text of the Brazilian amendments contained in ENDC/201 of 31 October 1967. I will therefore do no more than remind the Committee that I commented on that earlier document at our meeting of 6 November 1967 (ENDC/PV.345, paras.37 et seq.)

63. I have already indicated the attitude of the Canadian delegation to the amendment to article VIII proposed by the representative of Italy (ENDC/218). As for his proposed amendment to article IV, we believe we understand its intention; and we appreciate the concern of Italy and other countries which do not have uranium on their national territories that they should not be subject to any discriminatory or monopolistic impediments to acquisition of what they need for their nuclear industries. However, we are inclined to think that articles III and IV already contain adequate guarantees of unrestricted access to source and special fissionable material for legitimate peaceful purposes.

64. Moreover, we question the use of the term "inalienable", since no issue of fundamental right is involved, and the implication appears to be that nuclear supplier countries have some kind of legal obligation to supply recipient countries. While we could not support the particular wording and we doubt that such an amendment is necessary, we still have an open mind on that point and shall take a final position only in the light of the views of the other Committee members, in accordance with the general guiding principle to which I referred at the beginning of my statement.

65. As for the proposed Italian amendment to article X, I should recall that Canada accepted the idea of a treaty of unlimited duration. Recognizing, however, that a treaty of limited duration was widely acceptable, we were prepared to agree to the terms proposed by the co-Chairmen in their revised drafts. We can see some advantages in specifying twenty-five year periods for the renewal of the treaty rather than leaving them unspecified, since such a specification would prevent renewal of the treaty for shorter periods.

66. On the other hand, we consider that the question of withdrawal is already adequately taken care of in paragraph 1 of the article. Indeed, we regard as undesirable a provision which might tend to encourage withdrawal at the end of the first twenty-five years in circumstances in which the withdrawing States would neither participate in the renewal conference nor be required to account for their withdrawal to the Security Council.

67. Those are the views of the Canadian delegation on most of the various amendments before the Committee. We have supported some of them on the grounds that they could, in our opinion, make the draft treaty more acceptable to States not possessing nuclear weapons, which it is desirable should become parties to it; and, furthermore, that they could help produce a text which as many members of this Committee as possible will be able to advocate vigorously when the twenty-second session of the United Nations General Assembly resumes.

68. In our intervention at the meeting of 23 January we said (ENDC/PV.358, para.56) that the Canadian Government was in agreement with the essentials of the draft presented in documents ENDC/192/Rev.1 and ENDC/193/Rev.1 on 18 January. The Canadian delegation thinks that we have a good and perhaps sufficient text now, but that the amendments for which we have today indicated our support could make it even better.

69. Mr. CARACCILOLO (Italy): We have listened attentively to the statements made by the representatives of Nigeria, Bulgaria and Canada, and we have especially appreciated the interest the representative of Canada has shown in the amendments presented by my delegation (ENDC/218) and the support he has given to the proposed modification of article VIII.

(Mr. Caracciolo, Italy)

70. As for the other amendments we have presented, I do not wish at this stage to add any further remarks to what I said previously. I should like only to confess, in referring to the Canadian representative's statement on our amendment to article IV, that the Italian delegation fails to see that the provisions of article III and the existing article IV already contain adequate guarantees of unrestricted access to source and special fissionable material for legitimate peaceful purposes. However, we hope that the co-Chairmen will carefully study the considerations we have submitted to this Committee and will find a satisfactory solution to the problems we have raised.

71. Last but not least, I should like to join the delegations which have preceded me in welcoming back Mr. Foster as leader of the United States delegation and to wish him the best of health.

The Conference decided to issue the following communiqué:

"The Conference of the Eighteen-Nation Committee on Disarmament today held its 371st plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador A.A. Roshchin, representative of the Union of Soviet Socialist Republics.

"Statements were made by the representatives of Nigeria, Bulgaria, Canada and Italy.

"The delegation of Nigeria tabled a working paper containing additions and amendments for inclusion in the draft treaty on the non-proliferation of nuclear weapons (ENDC/220).

"The next meeting of the Conference will be held on Thursday, 29 February 1968, at 10.30 a.m."

The meeting rose at 11.5 a.m.